

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

IN Re SEALED SEARCH WARRANT

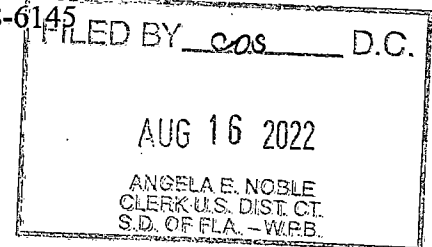
Case No.: 9:22-MJ-08332-BER-1

Via Express Mail: EI 392 695 239 US

August 15, 2022

Michael S. Barth
P.O. Box 832
Far Hills, New Jersey 07931
917-628-6145

Hon. U.S. Magistrate Judge Bruce E. Reinhart
Paul G. Rogers Federal Building and U.S. Courthouse
701 Clematis Street
West Palm Beach, Florida 33401



Re: Non-Party Pro Se Motion to Intervene to Move to Unseal All Underlying Warrant Materials
In Re Sealed Search Warrant, 9:22-MJ-08332-BER

Dear Honorable Magistrate Judge Bruce E. Reinhart,

Please accept this letter memorandum as timely and consistent with the Rules of Court in support of a motion to intervene for the limited purpose of miscellaneous relief to unseal all the remaining documents (including the Court's notes), related to the sealed search warrant executed in the above referenced matter, a portion released on August 12, 2022. This pro se proposed intervenor is a non-party, non-media movant, but rather a Citizen of the United States, a resident of the great State of New Jersey.

As noted by other memorandums filed in this matter: The Eleventh Circuit allows the public - and press - to intervene in connection with the sealing of court records, *citing Brown v. Advantage Engineering, Inc.* 960 F.3d 1013, 1016 (11th Cir. 1992) (... any member of the public has standing to ... move to ... unseal the court file in the event the record has been improperly sealed). Pro se members of the public have in effect been granted such standing. *See e.g., In Re Sealed Search Warrant*, 2006 WL 3690639 (N.D.N.Y 2006).

While this movant asks to adopt and incorporate the applicable legal references in the memorandums of law filed by the Media Intervenors in connection with this matter, excepted should there be any remote suggestion in those memorandums that the unsealing is necessary for any "Tabloid" type reporting.

Vice President Kamala Harris recently indicated that she has "full confidence" in the Department of Justice related to the executed search warrant. (Reference omitted.) However, even apart from the United States Government having the burden to justify keeping the remaining documents under seal, the United States Constitution was designed with many "checks and balances," this

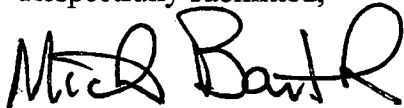
type of motion to unseal judicial documents being one of those as a matter of accountability in the administration of Justice. (Reference omitted.).

While there have been a number of sensational references made in the media memorandums as to the various responses to the search warrant, as each day goes by, perhaps there are many more to be added, that accepting those filed as true, suggests there are so many seemingly "selective leaks" from the United States Government, that the Court records are already "unsealed" for select media, and therefore should be unsealed for the public.

CONCLUSION

For the reasons stated above, the undersigned respectfully requests the Court grant the relief requested.

Respectfully submitted,



Michael S. Barth

REQUEST FOR HEARING

Pursuant to Local Rule 7.1(b)(2), the undersigned waives any requests as to a hearing for this motion.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(3)

The undersigned respectfully request that the Court waive this requirement before the mailing of this motion, or as satisfied, considering the timing of the drafting and mailing of this motion and the responses to the attempts under this rule, filed by the Media intervenors.

Certificate of Service

I HEREBY CERTIFY that on August 15, 2022, this document was transmitted to the Clerk's Office using USPS Express Mail EI 392 695 239 US; and a copy of the same mailed by USPS Express Mail EI 392 695 242 US to Juan Antonio Gonzalez, U.S. Attorney's Office, Southern District of Florida, 98 NE 4th Street, Floor 8, Miami, FL 33132-2131.



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